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**ATTORNEYS FOR DEBTOR SUPERIOR AIR PARTS, INC.**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

IN RE:	§	Case No. 08-36705
	§	
SUPERIOR AIR PARTS, INC.,	§	Chapter 11
	§	
Debtor.	§	
	§	

**DEBTOR'S OBJECTION TO PROOF OF CLAIM NO. 64  
FILED BY MALONEY, BEAN, HORN & HULL, PC**

**A HEARING MAY NOT BE CONDUCTED HEREON  
UNLESS A RESPONSE IS FILED WITH THE CLERK OF  
THE UNITED STATES BANKRUPTCY COURT AT EARLE  
CABELL BUILDING, U.S. COURTHOUSE 1100  
COMMERCE STREET - ROOM 1254 DALLAS, TX 75242-  
1496 BEFORE CLOSE OF BUSINESS ON AUGUST 19,  
2009, WHICH IS TWENTY (20) DAYS FROM THE DATE  
OF SERVICE HEREOF.**

**ANY RESPONSE MUST BE FILED WITH THE CLERK,  
AND A COPY MUST BE SERVED UPON COUNSEL FOR  
THE MOVING PARTY PRIOR TO THE DATE AND TIME  
SET FORTH HEREIN. IF A RESPONSE IS FILED A  
HEARING WILL BE HELD WITH NOTICE TO ALL  
INTERESTED PARTIES.**

**IF NO HEARING ON SUCH NOTICE OR MOTION  
INITIATING A CONTESTED MATTER IS TIMELY**

**REQUESTED, THE RELIEF REQUESTED SHALL BE  
DEEMED TO BE UNOPPOSED, AND THE COURT MAY  
ENTER AN ORDER GRANTING THE RELIEF SOUGHT  
OR THE NOTICED ACTION MAY BE TAKEN**

TO: THE HONORABLE BARBARA J. HOUSER,  
UNITED STATES BANKRUPTCY JUDGE:

Superior Air Parts, Inc. ("Superior"), Debtor-in-Possession, files this objection to Proof of Claim No. 64 filed by Maloney, Bean, Horn & Hull, PC, and would show as follows:

1. On February 13, 2009, Maloney, Bean, Horn & Hull, PC ("Claimant") filed proof of claim number 64 ("Claim") in the amount of \$425,610.51, for legal services rendered for Debtor and expenses incurred and unpaid as of the time of the bankruptcy filing.

2. The Claim arises out of Claimant's role as insurance defense counsel for Debtor prior to the commencement of this case. In the Attachment to the Claim, Claimant admits that it does not have a claim against the Debtor:

"Claimant has assigned its claim for the amounts Debtor owes it arising under its deductible obligations; accordingly, as of the petition date, and the date of the filing of this Proof of Claim, the amounts sought hereunder represent legal fees and expenses in excess of any deductible obligation of Debtor and have not been paid by either the Debtor or the applicable insurance carrier. Although Claimant believes that the obligation to pay the amounts covered by this Proof of Claim is an obligation of the insurance carriers, this claim is being filed out of an abundance of caution in the event that the carriers don't pay the amounts covered by this proof of claim and there are, or may be, theories upon which recovery can be sought from the Debtor."

3. Superior objects to the Claim because the amounts sought by Claimant are for legal fees and expenses in excess of any deductible obligation Superior may have under the applicable policies of insurance. Superior has no legal obligation to pay fees in excess of its deductibles.

WHEREFORE, the Debtor request that the Court grant this Objection and deny Claim 64, and that Debtor have such other and further relief as this Court may deem just and proper.

Respectfully submitted,

/s/ Stephen A. Roberts

Stephen A. Roberts (SBN 17019200)

Robert P. Franke (SBN 07371200)

Duane J. Brescia (SBN 24025265)

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**BANKRUPTCY ATTORNEYS FOR DEBTOR  
SUPERIOR AIR PARTS, INC.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that true and correct copies of the foregoing pleading were forwarded to the parties listed below via first class U.S. Mail, postage prepaid, on the 30th day of July, 2009.

**Claimant:**

Maloney, Bean, Horn & Hull, PC  
511 E. John Carpenter Freeway, Suite 440  
Irving, TX 75062

**Debtor:**

Superior Air Parts, Inc.  
621 S. Royal Lane, Suite 100  
Coppell, TX 75019-3805

**U.S. Trustee:**

Mary Frances Durham  
Office of the United States Trustee  
1100 Commerce Street, Room 976  
Dallas, TX 75242

**Counsel for the Committee:**

David W. Parham,  
Elliot Schuler & A. Swick  
Baker & McKenzie LLP  
2001 Ross Ave., Suite 2300  
Dallas, TX 75201

/s/ Stephen A. Roberts

Stephen A. Roberts